

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY/
SUCCESSOR AGENCY TO THE
ONTARIO REDEVELOPMENT AGENCY/
ONTARIO PUBLIC FINANCING AUTHORITY
AND ONTARIO REDEVELOPMENT FINANCING AUTHORITY**

**MINUTES
May 16, 2017**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority/Successor Agency to the Ontario Redevelopment Agency/Ontario Public Financing Authority and Ontario Redevelopment Financing Authority were held on Tuesday, May 16, 2017 at Ontario City Hall, 303 East B Street, Ontario, California.

CLOSED SESSION

Mayor Leon called the City Council/Housing Authority/Successor Agency to the Ontario Redevelopment Agency/Ontario Public Financing Authority and Ontario Redevelopment Financing Authority meetings to order at 6:02 p.m., and inquired whether persons were present who wished to speak to the Closed Session item. Hearing no one, the City Council with all members present recessed to Closed Session at 6:02 p.m. for discussion of the following:

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN 1049-121-16; 961 East Main Street; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Benny Banuelos and Charlene O. Banuelos; Under negotiation: Price and terms of payment

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council/Housing Authority/Successor Agency to the Ontario Redevelopment Agency/Ontario Public Financing Authority and Ontario Redevelopment Financing Authority meetings to order at 6:30 p.m., and requested the City Clerk call the roll.

PRESENT:	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chairman	Debra Dorst-Porada
	Council/Authority Members:	Alan D. Wapner, Jim W. Bowman and Ruben Valencia

ABSENT: Council/Authority Member: None

Also present were City Manager/Executive Director Al C. Boling, City Attorney/Legal Counsel John Brown and City Clerk/Secretary Sheila Mautz.

REPORT ON CLOSED SESSION

City Attorney Brown reported that with regard to the property negotiations listed on the agenda, instructions were given to the real property negotiator, but there was no reportable action.

The Pledge of Allegiance was led by Council Member Valencia.

Pastor Donald Rucker, First Church of the Nazarene, was called away prior to delivering the Invocation, so Mayor Leon called for a moment of silent reflection.

PUBLIC COMMENTS

Sharon Martinez commented on subsidies being given by the City to businesses, and suggested that those businesses be held accountable for providing jobs for the community through strict agreements.

Jamila Jabulani, representing National University, announced their upcoming Open House on May 20, 2017 at 10:00 a.m. at 3800 E. Concours Drive, Suite 150, and invited the Council and public to attend.

Cory Briggs advised the Mayor that he had presented the City with a letter in the matter of Code Enforcement Case No. CE0205-3478 – 1387 West Francis Street.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Boling reported no updates or announcements to the agenda.

CONSENT CALENDAR

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous vote to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

Approved Minutes for the regular meeting of the City Council and Housing Authority of April 18, 2017, as on file in the Records Management Department.

2. BILLS/PAYROLL

Approved **Bills** for the period from April 2, 2017 through April 15, 2017 in the amount of \$14,295,372.55 and **Payroll** for the period from April 2, 2017 through April 15, 2017 in the amount of \$2,761,110.56 when audited by the Finance Committee.

3. A RESOLUTION AGREEING TO THE TERMINATION OF THE HOMEOWNER PROTECTION PROGRAM JOINT POWERS AUTHORITY

City Council adopted Resolution No. 2017-029 agreeing to the termination of the Homeowner Protection Program Joint Powers Authority.

RESOLUTION NO. 2017-029 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AGREEING TO THE TERMINATION OF THE HOMEOWNER PROTECTION PROGRAM JOINT POWERS AUTHORITY.

4. A CONSTRUCTION CONTRACT FOR THE ATP CYCLE I SAFE ROUTES TO SCHOOL SIDEWALK IMPROVEMENTS AT VARIOUS LOCATIONS/HARDY & HARPER, INC.

City Council approved the plans and specifications, waived all minor irregularities and awarded a construction contract to Hardy & Harper, Inc. of Santa Ana, California for the ATP Cycle I Safe Routes to School Sidewalk Improvements at Various Locations in the bid amount of \$777,000 plus a fifteen (15%) percent contingency of \$116,550 for a total authorized expenditure of \$893,550; and authorized the City Manager to execute said contract and related documents, and file a notice of completion at the conclusion of all construction activities for the project.

5. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18913-3 LOCATED AT THE SOUTHEAST CORNER OF PARKPLACE AVENUE AND PARKVIEW STREET

City Council adopted Resolution No. 2017-030 approving an improvement agreement, improvement security and Final Tract Map No 18913-3 for property located at the southeast corner of Parkplace Avenue and Parkview Street within the Subarea-29 Specific Plan area.

RESOLUTION NO. 2017-030 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FINAL TRACT MAP NO. 18913-3, LOCATED AT THE SOUTHEAST CORNER OF PARKPLACE AVENUE AND PARKVIEW STREET.

6. FISCAL YEAR 2016-17 THIRD BUDGET UPDATE REPORT

City Council approved the budget adjustments and recommendations as listed in the Fiscal Year 2016-17 Third Budget Update Report.

7. MAINTENANCE SERVICE AGREEMENT FOR WEED ABATEMENT SERVICES/SO CAL LAND MAINTENANCE

City Council authorized the City Manager to execute a five-year Maintenance Service Agreement for Contract No. PM1617-6 with SoCal Land Maintenance, Inc. located in Anaheim, California, for an annual estimated cost of \$104,873 plus a

5% contingency of \$5,244; and authorized the addition of future services; and authorized the option to extend the agreement for up to two additional years consistent with the City Council approved budgets.

8. CONSTRUCTION CONTRACT FOR STREET CRACK SEALING SERVICES/SAFE USA, INC.

City Council authorized the City Manager to execute a three-year Construction Contract for Contract No. SM1617-4 with Safe USA, Inc., located in Ontario, California, for an annual estimated cost of \$92,000; and authorized the addition of future services; and the option to extend the agreement for up to two additional years consistent with the City Council approved budgets.

9. MAINTENANCE SERVICE AGREEMENT FOR CITYWIDE STREET SWEEPING SERVICES/CLEANSTREET, INC.

City Council authorized the City Manager to execute a five-year Maintenance Service Agreement for Contract No. SM1617-2 with CleanStreet, Inc., located in Gardena, California, for an annual estimated cost of \$1,144,010 plus a 5% contingency of \$57,205; and authorized the addition of future services; and authorized the option to extend the agreement for up to two additional years consistent with the City Council approved budgets.

10. MAINTENANCE SERVICE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR THE CITY LANDSCAPE ASSESSMENT MAINTENANCE DISTRICTS/MERCHANTS LANDSCAPE, INC.

City Council authorized the City Manager to execute a five-year Maintenance Service Agreement for Contract No. PM1617-5 with Merchants Landscape, Inc., located in Rancho Cucamonga, California, for an annual estimated cost of \$370,368 plus a contingency of \$16,350; and authorized the addition of future services; and authorized the option to extend the agreement for up to two additional years consistent with the City Council approved budgets.

11. PROFESSIONAL SERVICES AGREEMENT WITH G&K SERVICES FOR UNIFORM AND DUST CONTROL ITEM RENTAL AND CLEANING

City Council approved and authorized the City Manager to execute a Professional Services Agreement with G&K Services of Ontario, California to provide uniform and dust control item rental and cleaning services for approximately \$78,000 annually for three years with the option to extend the agreement at the City's discretion for up to two consecutive one-year periods consistent with City Council approved budgets.

12. AMENDMENT TO THE EXISTING AGREEMENT WITH THE CITY OF FONTANA REGARDING TRANSFER OF RIGHT OF FIRST PURCHASE FOR RECHARGED RECYCLED WATER

City Council approved and authorized the City Manager to execute an amendment to the existing agreement with the City of Fontana, subject to non-substantive changes, regarding the transfer of right of first purchase for recharged recycled water consistent with City Council approved budgets.

13. AGREEMENT WITH THE COUNTY OF SAN BERNARDINO FOR THE OPERATION OF A HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY

City Council approved and authorized the City Manager to execute an Agreement with the County of San Bernardino for the Operation of a Household Hazardous Waste (HHW) Collection Facility.

MOTION UNANIMOUSLY CARRIED. Mayor Leon declared Resolution Nos. 2017-029, 2017-030 unanimously adopted.

PUBLIC HEARINGS

14. A PUBLIC HEARING REGARDING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT AND RETENTION AGREEMENT BETWEEN THE CITY OF ONTARIO AND WAXIE'S ENTERPRISES, INC. PURSUANT TO GOVERNMENT CODE SECTION 53083; CONSIDERATION OF RESOLUTIONS ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT, APPROVING THE RETENTION AGREEMENT, AND MAKING RELATED FINDINGS

That the City Council took the following actions:

- (A) Held a public hearing;
- (B) Adopted Resolution No. 2017-031 accepting the Economic Development Subsidy Report prepared pursuant to Government Code Section 53083 regarding a Retention Agreement by and between the City of Ontario and Waxie's Enterprises, Inc. an Arizona corporation DBA Waxie Sanitary Supply ("Waxie");
- (C) Adopted Resolution No. 2017-032 approving the Retention Agreement for no less than fifteen years, authorizing the City Manager to execute the Retention Agreement, and making related findings; and
- (D) Directed City staff to file a categorical exemption based upon the City Council's finding that the impacts for this existing facility is not a project and subject to environmental review and that there is no possibility that the activity in question may have a significant effect on the environment.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were no written communications.

Mayor Leon opened the public hearing. Hearing no requests to speak the hearing was closed.

MOTION: Moved by Council Member Bowman, seconded by Council Member Valencia and carried by unanimous vote to adopt Resolution Nos. 2017-031 and 2017-032 and direct staff to file categorical exemption.

RESOLUTION NO. 2017-031 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT PREPARED PURSUANT TO GOVERNMENT CODE SECTION 53083 REGARDING THE RETENTION AGREEMENT BETWEEN THE CITY OF ONTARIO AND WAXIE'S ENTERPRISES, INC.

RESOLUTION NO. 2017-032 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE RETENTION AGREEMENT BETWEEN THE CITY OF ONTARIO AND WAXIE'S ENTERPRISES, INC. AND MAKING RELATED FINDINGS.

15. A PUBLIC HEARING TO CONSIDER THE ISSUANCE OF LEASE REVENUE BONDS FOR THE PURPOSE OF REFINANCING EXISTING OUTSTANDING BONDS

City Council of the City of Ontario, the Board of Directors of the Ontario Public Financing Authority, and the Board of Directors of the Ontario Redevelopment Financing Authority held a public hearing to consider adoption of resolutions and approve related bond documents pertaining to the issuance of approximately \$35 million of lease revenue bonds to refinance the outstanding 2001 Lease Revenue Bonds and 2007 Lease Revenue Bonds.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were no written communications.

Mayor Leon opened the public hearing. Hearing no requests to speak the hearing was closed.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Valencia and carried by unanimous vote to adopt Resolution Nos. 2017-033, OPFA-004, and ORFA-014.

RESOLUTION NO. 2017-033 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF A GROUND LEASE, LEASE AGREEMENT, INDENTURE, ESCROW AGREEMENT (2001 BONDS), ESCROW AGREEMENT (2007 BONDS), BOND PURCHASE CONTRACT AND CONTINUING DISCLOSURE CERTIFICATE IN CONNECTION WITH THE ISSUANCE OF ONTARIO PUBLIC FINANCING AUTHORITY 2017 LEASE REVENUE REFUNDING BONDS, APPROVING THE ISSUANCE OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$35,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH BONDS AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

RESOLUTION NO. OPFA-004 A RESOLUTION OF THE ONTARIO PUBLIC FINANCING AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY BY THE AUTHORITY OF A GROUND LEASE, LEASE AGREEMENT, INDENTURE, BOND PURCHASE CONTRACT AND ASSIGNMENT AGREEMENT IN CONNECTION WITH THE ISSUANCE OF ONTARIO PUBLIC FINANCING AUTHORITY 2017 LEASE REVENUE REFUNDING BONDS, AUTHORIZING THE ISSUANCE OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$35,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH BONDS AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

RESOLUTION NO. ORFA-014 A RESOLUTION OF THE ONTARIO REDEVELOPMENT FINANCING AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY OF LEASE TERMINATION DOCUMENTS IN CONNECTION WITH THE REFUNDING OF THE 2001 LEASE REVENUE BONDS (CAPITAL PROJECTS) AND 2007 LEASE REVENUE BONDS (CAPITAL PROJECTS) AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

16. **A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES); INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES; AND ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS**

City Council:

- (A) Adopted Resolution No. 2017-034 establishing Community Facilities District No. 38 (Park & Turner NE Facilities), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;

- (B) Adopted Resolution No. 2017-035 deeming it necessary to incur bonded indebtedness within Community Facilities District No. 38 (Park & Turner NE Facilities);
- (C) Adopted Resolution No. 2017-036 calling a special election for City of Ontario Community Facilities District No. 38 (Park & Turner NE Facilities);
- (D) Adopted Resolution No. 2017-037 declaring the results of the special election and directing the recording of a Notice of Special Tax Lien;
- (E) Introduced and waived further reading of Ordinance No. 3073 levying special taxes within City of Ontario Community Facilities District No. 38 (Park & Turner NE Facilities); and
- (F) Adopted Resolution No. 2017-038 authorizing the execution and delivery of an acquisition and funding agreement with Lennar Homes of California, Inc., a California corporation.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were no written communications.

Mayor Leon opened the public hearing. Hearing no requests to speak the hearing was closed.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution Nos. 2017-034, 2017-035 and 2017-036.

RESOLUTION NO. 2017-034 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

RESOLUTION NO. 2017-035 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES).

RESOLUTION NO. 2017-036 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES).

Mayor Leon requested that the City Clerk open the ballots and announced the results of the landowner election.

The City Clerk announced that the one landowner ballot was in support of the proposed district formation.

MOTION: Moved by Council Member Bowman, Seconded by Mayor pro Tem Dorst-Porada and carried by unanimous vote to adopt Resolution No. 2017-037.

RESOLUTION NO. 2017-037 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to introduce and waive further reading of Ordinance No. 3073.

ORDINANCE NO. 3073 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES).

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution No. 2017-038.

RESOLUTION NO. 2017-038 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACQUISITION AND FUNDING AGREEMENT WITH LENNAR HOMES OF CALIFORNIA, INC.

17. **A PUBLIC HEARING TO CONSIDER FILE NO. PCUP16-023, A CONDITIONAL USE PERMIT TO ESTABLISH A 4-STORY, 131-ROOM HOTEL TOTALING 93,177 SQUARE FEET ON APPROXIMATELY 4.5 ACRES OF LAND, IN CONJUNCTION WITH FILE NO. PDEV16-050 FOR A DEVELOPMENT PLAN TO CONSTRUCT THE HOTEL, LOCATED AT 900 NORTH VIA PIEMONTE, WITHIN THE URBAN COMMERCIAL LAND USE DISTRICT AND PIEMONTE OVERLAY DISTRICT OF THE ONTARIO CENTER SPECIFIC PLAN**

City Council held a public hearing to consider adoption of Resolution No. 2017-039 approving File No. PCUP16-023, pursuant to the facts and reasons contained in the staff report, attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were no written communications.

Mayor Leon opened the public hearing. Hearing no requests to speak the hearing was closed.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Valencia and carried by unanimous vote to adopt Resolution No. 2017-039.

RESOLUTION NO. 2017-039 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP16-023, A CONDITIONAL USE PERMIT FOR TO ESTABLISH A 93,177 SQUARE FOOT HOTEL (ELEMENT HOTEL) ON 4.5 ACRES OF LAND, LOCATED AT 900 NORTH VIA PIEMONTE, WITHIN THE PIEMONTE OVERLAY OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 0210-204-18. RELATED FILE NO. PDEV16-050.

18. **A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE ONTARIO CENTER SPECIFIC PLAN, FILE NO. PSPA16-003, REVISING TEXT AND MAPS PERTAINING TO THE PIEMONTE OVERLAY, INCLUDING CHANGES TO THE DEVELOPMENT CONCEPT AND REGULATIONS, AND ALLOWED LAND USES WITHIN THE COMMERCIAL, ENTERTAINMENT/RETAIL COMMERCIAL, OFFICE, SPECIAL USE, AND RESIDENTIAL SUBAREAS, AFFECTING APPROXIMATELY 84 ACRES OF LAND, GENERALLY LOCATED SOUTH OF FOURTH STREET, WEST OF MILLIKEN AVENUE, NORTH OF CONCOURS STREET, AND EAST OF HAVEN AVENUE, WITHIN THE URBAN COMMERCIAL LAND USE DISTRICT AND PIEMONTE OVERLAY AREA OF THE ONTARIO CENTER SPECIFIC PLAN (APNS: 0210-531-16, 0210-531-15, 0210-531-14, 0210-531-13, 0210-531-12, 0210-531-11, 0210-531-10, 0210-531-09, 0210-531-08, 0210-531-07, 0210-531-06, 0210-204-26, 0210-204-23, 0210-204-22, 0210-204-21, 0210-204-20, 0210-204-19, 0210-204-16, 0210-204-15, 0210-204-14, 0210-204-13, 0210-204-12, 0210-204-11, & 0210-204-10)**

City Council conducted a public hearing to consider adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approved an Amendment to The Ontario Center Specific Plan, File No. PSPA16-003, revising the text and maps pertaining to the Piemonte Overlay, including changes to the development concept and regulations, and allowed land uses.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were no written communications.

Mayor Leon opened the public hearing. Hearing no requests to speak the hearing was closed.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution Nos. 2017-040 and 2017-041.

RESOLUTION NO. 2017-040 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM FOR FILE NO. PSPA16-003, AN AMENDMENT TO THE ONTARIO CENTER SPECIFIC PLAN, REVISING THE PROVISIONS OF THE PIEMONTE OVERLAY AREA, INCLUDING CHANGES TO THE DEVELOPMENT CONCEPT AND REGULATIONS, AND ALLOWED LAND USES WITHIN THE COMMERCIAL, ENTERTAINMENT/RETAIL COMMERCIAL, OFFICE, SPECIAL USE, AND RESIDENTIAL SUB-AREAS, AFFECTING PROPERTIES WITHIN AN IRREGULAR-SHAPED AREA COMPRISED OF APPROXIMATELY 84 ACRES OF LAND, GENERALLY LOCATED SOUTH OF FOURTH STREET, WEST OF MILLIKEN AVENUE, NORTH OF CONCOURS STREET, AND EAST OF HAVEN AVENUE - APNS: 0210-531-16, 0210-531-15, 0210-531-14, 0210-531-13, 0210-531-12, 0210-531-11, 0210-531-10, 0210-531-09, 0210-531-08, 0210-531-07, 0210-531-06, 0210-204-26, 0210-204-23, 0210-204-22, 0210-204-21, 0210-204-20, 0210-204-19, 0210-204-16, 0210-204-15, 0210-204-14, 0210-204-13, 0210-204-12, 0210-204-11, AND 0210-204-10.

RESOLUTION NO. 2017-041 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA16-003, AN AMENDMENT TO THE ONTARIO CENTER SPECIFIC PLAN, REVISING TEXT AND MAPS PERTAINING TO THE PIEMONTE OVERLAY, INCLUDING CHANGES TO THE DEVELOPMENT CONCEPT AND REGULATIONS, AND ALLOWED LAND USES WITHIN THE COMMERCIAL, ENTERTAINMENT/RETAIL COMMERCIAL, OFFICE, SPECIAL USE, AND RESIDENTIAL SUBAREAS, AFFECTING APPROXIMATELY 84 ACRES OF LAND, GENERALLY LOCATED SOUTH OF FOURTH STREET, WEST OF MILLIKEN AVENUE, NORTH OF CONCOURS STREET, AND EAST OF HAVEN AVENUE, WITHIN THE URBAN COMMERCIAL LAND USE DISTRICT AND PIEMONTE OVERLAY AREA OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 0210-531-16, 0210-531-15, 0210-531-14, 0210-531-13, 0210-531-12, 0210-531-11, 0210-531-10, 0210-531-09, 0210-531-08, 0210-531-07, 0210-531-06, 0210-204-26, 0210-204-23, 0210-204-22, 0210-204-21, 0210-204-20, 0210-204-19, 0210-204-16, 0210-204-15, 0210-204-14, 0210-204-13, 0210-204-12, 0210-204-11 AND 0210-204-10.

19. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE ONTARIO GATEWAY SPECIFIC PLAN (FILE NO. PSPA17-001) TO CHANGE TABLE 2.B: PERMITTED LAND USES BY PLANNING AREAS, TO ALLOW DRIVE-THRU QUICK SERVE RESTAURANTS AS A CONDITIONALLY PERMITTED USE WITHIN THE MIXED-USE PLANNING AREA LAND USE DESIGNATION, LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND GUASTI ROAD

City Council held a public hearing and considered adoption of Resolution No. 2017-042 approving an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, and adopted Resolution No. 2017-043 approving an amendment to the Ontario Gateway Specific Plan (File No. PSPA17-001), pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were no written communications.

Mayor Leon opened the public hearing. Hearing no requests to speak the hearing was closed.

MOTION: Moved by Mayor pro Tem Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution Nos. 2017-042 and 2017-043

RESOLUTION NO. 2017-042 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING OF AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PSPA17-001.

RESOLUTION NO. 2017-043 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA17-001, AN AMENDMENT TO THE ONTARIO GATEWAY SPECIFIC PLAN TO CHANGE TABLE 2.B: PERMITTED LAND USES BY PLANNING AREAS, TO ALLOW DRIVE-THRU QUICK SERVE RESTAURANTS AS A CONDITIONALLY PERMITTED USE WITHIN THE MIXED-USE PLANNING AREA LAND USE DESIGNATION, LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND GUASTI ROAD, AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 0210-212-57.

20. **A PUBLIC HEARING TO CONSIDER A DEVELOPMENT CODE AMENDMENT, FILE NO. PDCA17-001, PROPOSING VARIOUS CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE, INCLUDING MODIFICATIONS TO CERTAIN PROVISIONS OF DIVISION 1.02 (DEVELOPMENT CODE INTERPRETATION AND ENFORCEMENT), DIVISION 2.02 (APPLICATION, FILING AND PROCESSING), DIVISION 4.02 (DISCRETIONARY PERMITS AND ACTIONS), DIVISION 5.02 (LAND USE), DIVISION 5.03 (STANDARDS FOR CERTAIN LAND USES, ACTIVITIES AND FACILITIES), DIVISION 6.01 (DISTRICT STANDARDS AND GUIDELINES), 6.02 (WALLS, FENCES AND OBSTRUCTIONS), 6.03 (OFF-STREET PARKING AND LOADING), DIVISION 7.01 (HISTORIC PRESERVATION), AND DIVISION 9.01 (DEFINITIONS)**

City Council introduced and waived further reading of Ordinance No. 3074 approving a Development Code Amendment, File No. PDCA17-001, proposing certain clarifications to Ontario Development Code Division 1.02 (Development Code Interpretation and Enforcement), Division 2.02 (Application, Filing and Processing), Division 4.02 (Discretionary Permits and Actions), Division 5.02 (Land Use), Division 5.03 (Standards for Certain Land Uses, Activities and Facilities), Division 6.01 (District Standards and Guidelines), 6.02 (Walls, Fences and Obstructions), 6.03 (Off-Street Parking and Loading), Division 7.01 (Historic Preservation), and Division 9.01 (Definitions).

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were no written communications.

Mayor Leon opened the public hearing. Hearing no requests to speak the hearing was closed.

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous vote to introduce and waive further reading of Ordinance No. 3074.

ORDINANCE NO. 3074 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA17-001, A DEVELOPMENT CODE AMENDMENT FOR THE PURPOSE OF CLARIFYING CERTAIN PROVISIONS OF DIVISION 1.02 (DEVELOPMENT CODE INTERPRETATION AND ENFORCEMENT), DIVISION 2.02 (APPLICATION, FILING AND PROCESSING), DIVISION 4.02 (DISCRETIONARY PERMITS AND ACTIONS), DIVISION 5.02 (LAND USE), DIVISION 5.03 (STANDARDS FOR CERTAIN LAND USES, ACTIVITIES AND FACILITIES), DIVISION 6.01 (DISTRICT STANDARDS AND GUIDELINES), 6.02 (WALLS, FENCES AND OBSTRUCTIONS), 6.03 (OFF-STREET PARKING AND LOADING), DIVISION 7.01 (HISTORIC PRESERVATION), AND DIVISION 9.01 (DEFINITIONS), AND MAKING FINDINGS IN SUPPORT THEREOF.

21. **A PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT, FILE NO. PUD17-001, TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE FUTURE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT AT A DENSITY OF 25.4 DWELLING UNITS PER ACRE ON 2.95 ACRES OF LAND BORDERED BY HOLT BOULEVARD ON THE NORTH, FERN AVENUE ON THE EAST, EMPORIA STREET ON THE SOUTH, AND VINE AVENUE ON THE WEST, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT (APNS: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 AND 1049-052-10)**

City Council adopted an Addendum to The Ontario Plan Environmental Impact Report and introduced and waived further reading of Ordinance No. 3075 approving a Planned Unit Development, File No. PUD17-001, establishing development standards and guidelines to facilitate the development of a high density residential apartment project.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were no written communications.

Mayor Leon opened the public hearing. Hearing no requests to speak the hearing was closed.

MOTION: Moved by Council Member Valencia, seconded by Council Member Bowman and carried by unanimous vote to adopt Resolution No. 2017-044 and introduce and waive further reading of Ordinance No. 3075.

RESOLUTION NO. 2017-044 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE ONTARIO PLAN ENVIRONMENTAL IMPACT REPORT, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PUD17-001, A PLANNED UNIT DEVELOPMENT TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE FUTURE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT AT A DENSITY OF 25.4 DWELLING UNITS PER ACRE ON 2.95 ACRES OF LAND BORDERED BY HOLT BOULEVARD ON THE NORTH, FERN AVENUE ON THE EAST, EMPORIA STREET ON THE SOUTH, AND VINE AVENUE ON THE WEST, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT— APNS: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 and 1049-052-10

ORDINANCE NO. 3075 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD17-001, A PLANNED UNIT DEVELOPMENT (ATTACHMENT 1) TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE FUTURE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT AT A DENSITY OF 25.4 DWELLING UNITS PER ACRE ON 2.95 ACRES OF LAND BORDERED BY HOLT BOULEVARD ON THE NORTH, FERN AVENUE ON THE EAST, EMPORIA STREET ON THE SOUTH, AND VINE AVENUE ON THE WEST, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 AND 1049-052-10.

STAFF MATTERS

City Manager Boling announced the Recreation Showcase event at Town Square on May 17, 2017 starting at 5:00 p.m. in downtown. He explained that the event will feature various recreation class performances and displays.

COUNCIL MATTERS

Mayor pro Tem Dorst-Porada thanked the residents who participated in the post office food drive program over the weekend. She also noted a program for girls in grades nine through twelve who are interested in web development and web design. She indicated that information could be found on her Facebook page.

Council Member Wapner had no comments.

Council Member Bowman had no comments.

Council Member Valencia recognized City law enforcement, noting Law Enforcement Recognition Week. He stressed the commitment and sacrifices made by law enforcement personnel, and requested that they be kept in prayer.

Mayor Leon indicated that he went to the Chaffey High School performance of “Beauty and the Beast” and it was a spectacular show. He commended Mr. Dave Masterson for his efforts to present Broadway quality shows in Ontario. He noted that the auditorium where Chaffey High’s Theater Department performs will be undergoing a two year renovation and noted the need for them to find a place to continue programming during that construction period. He also commented on the Esperanza Scholarship Foundation and detailed some of the talent that would be performing at their event on May 20 from 5:00 p.m. to 8:30 p.m., at Gardiner W. Spring Auditorium.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 6:56 p.m. and announced the next regular meetings on Tuesday, June 6, 2017.

Respectfully submitted,



SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:



PAUL S. LEON, MAYOR/CHAIRMAN